

MINUTES OF THE CITY COUNCIL

SAN JOSE, CALIFORNIA

FRIDAY, DECEMBER 17, 2004

The Council of the City of San Jose convened in Special Session at 1:08 p.m. in Council Chambers at City Hall.

Present: Council Members: Campos, Chavez, Chirco, Cortese, Dando, Gregory (left at approximately 1:20 p.m.), LeZotte, Reed, Williams, Yeager; Gonzales.

Absent: Council Members: None.

PLEDGE OF ALLEGIANCE

Mayor Gonzales led the Pledge of Allegiance.

CITY COUNCIL CENSURE HEARING

- 1. City Council Censure Hearing pursuant to the City Council Conduct Policy (Council Policy No. 0-28) with regard to allegations of misconduct by Council Member Terry O. Gregory, as recommended by the Blue Ribbon Task Force and the Rules Committee, and appropriate City Council actions.**

Documents Filed: (1) Memorandum from Mayor Gonzales, dated December 16, 2004, recommending dependent on the Council's decision voting for censure at our hearing on Friday, December 17, 2004, to recommend direction for the City Manager and City Clerk to not allow any expenditures or reimbursements for travel by Council Member Gregory; in addition, to inform the City Council that his January recommendations regarding Council committee assignments would limit Council Member Gregory's assignments for committees, board and commission liaisons, and regional representation. (2) Exhibit 2: Report from Hanson, Bridgett, Marcus, Vlahos & Rudy, LLP, dated December 8, 2004, submitting responses to the citizen complaint. (3) Exhibit 3: Memorandum from Mayor Gonzales and Council Member Yeager, dated December 9, 2004, requesting the Rules Committee approve a special council meeting for December 17, 2004. (4) Exhibit 4: Agenda for the December 13, 2004 Blue Ribbon Task Force on Ethics Ordinance meeting. (5) Exhibit 5: Memorandum from Council Member Yeager, Council Member Chavez, Vice Mayor Dando and Council Member Reed, dated December 13, 2004, requesting a censure hearing. (6) Exhibit 6: Draft resolution requesting a censure hearing. (7) Exhibit 7: Memorandum from City Attorney Richard Doyle, dated December 14, 2004, submitting findings and penalty against Council Member Gregory. (8) Exhibit 8: Agenda for the December 15, 2004 Blue Ribbon Task Force on Ethics Ordinance. (9) Exhibit 9: Evidence previously submitted at the December 15, 2004 Blue Ribbon Task Force meeting.

1 (Cont'd.)

Discussion: *See Reporter's transcripts of the meeting, dated Friday, December 17, 2004. Reported by Howard Schroeder, License Number 1123, Advantage Reporting Services, LLC.)*

Public Comments:

- (1) Ross Signorino suggested Council Member Gregory should resign to reduce further money spent on the issue by the City.
- (2) Tony Alexander urged the Council to postpone action to censure until after the District Attorney completes its investigation.
- (3) Stephen Hazel voiced disapproval of Council Member Gregory's actions.

Action: Council voted to censure Council Member Gregory, and accepted the Mayor's recommendation to direct the City Manager and City Clerk to not allow any expenditures or reimbursements for travel by Council Member Gregory and limit Council Member Gregory's assignments to committees, boards, commission liaisons, and regional representation. (10-0-1). Abstain: Gregory.

ADJOURNMENT

The Special meeting was adjourned at 2:56 P.M.

RON GONZALES, MAYOR

ATTEST:

LEE PRICE, C.M.C, CITY CLERK
EW/12-17-04

ATTACHMENT: *Reporter's transcripts of the meeting, dated Friday, December 17, 2004. Reported by Howard Schroeder, License Number 1123, Advantage Reporting Services, LLC.)*